

**Points to Note in Handling Claims for the Return of Ashes and “Related Items”<sup>1</sup>**

<b>1. The ash handler must pay attention to the following when handling claims for the return of ashes (if nobody makes a claim for “related items”):</b>		
	(a)	The ashes may only be returned <b><u>after the expiry</u></b> of the first 2 months of the “on-site claim period”.
	(b)	Claims for return of ashes can only be made by “prescribed claimants”.
	(c)	Please refer to <a href="#">Annex 4</a> for the procedures of handling claims for return throughout the “on-site claim period”.
	(d)	The order of priority of competing claims among “prescribed claimants” is as follows:
	(i)	An “authorized representative <sup>2</sup> ”
	(ii)	A personal representative or relative (the claims of these two types of claimants have equal priority and the claims of “relatives” have equal priority)
	(iii)	A “related person”
	(iv)	The purchaser of the interment right
	(e)	Unless the court orders otherwise, the ash handler must return the ashes, the container of the ashes and all items interred together with the ashes in that container to the successful “prescribed claimant”.

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<sup>1</sup> **“Related Items”**: In relation to ashes, means the container of the ashes or an item interred together with the ashes in the same container.

<sup>2</sup> If more than 1 authorized representatives make claims, the order of priority should follow that stated in the agreement for the sale of the interment right concerned. If no order of priority is stated, the claims have equal priority.

<p><b>2. If a person claims to be the owner of a “related item” before the ashes of the deceased person (together with any related item) are returned to any person, the ash handler must pay attention to the following when handling claims for return (i.e. claims for the return of the ashes of the deceased person or any “related item” or both):</b></p>		
	(a)	Only the person who <b>claims to be the owner of the “related item”</b> can claim for the return of the “related item”.
	(b)	Please refer to <a href="#">Annex 4</a> for the procedures of handling claims for return throughout the “on-site claim period”.
	(c)	If the claimant is not a “prescribed claimant”, the ash handler shall return the “specified item <sup>3</sup> ” to that claimant after the expiry of the “on-site claim period” if during the period the ash handler has not received any other claim for return.
	(d)	If, after receiving a claim for return and before returning the “specified item”, the ash handler receives another claim for the return of ashes or any “related item” or both) he/she must:
		<ul style="list-style-type: none"> <li>● keep the “specified item” until the court makes an order for return and return it as ordered;</li> </ul>
		<ul style="list-style-type: none"> <li>● if no court proceedings have been instituted by the expiry of 12 months after the “on-site claim period”, deliver the “specified item” to the Director.</li> </ul>

<sup>3</sup> **“Specified item”** : It means the ashes of the deceased person, together with all related items (if applicable);